

# **EXHIBIT D**

## NORTHERN DISTRICT OF NEW YORK

The above-styled matter has come before the Court on the application of Multimedia Dental Systems, Inc. ("MMD") for an Order requiring the Counterclaim-Defendant, Synca Direct, Inc. ("Synca"), to show cause why a temporary restraining order and preliminary injunction should not be issued to prevent Synca from infringing MMD's rights in digital x-ray and dental imaging software known as MediaDent Dental Imaging v.4.5 ("MediaDent D.I.") which is covered by U.S. Copyright Office Certificate of Registration Number TX-6-159-013. Having read and considered

MMD's Motion for a Temporary Restraining Order and Preliminary Injunction (the "Motion"), and all materials offered in support of and opposition to the Motion, and counsel for Plaintiff and Counter-Claim Defendant having conceded in open Court that MMD is entitled to a Preliminary Injunction on the record before the Court, it is hereby

ORDERED that, Synca, its principals, directors, officers, subsidiaries, affiliates, agents, employees, successors, assigns, and all other persons or entities acting in concert with them or who have actual notice of this Order are preliminarily enjoined from:

(a) imitating, copying or making any other infringing use or infringing distribution of software programs including specifically, but not limited to, CADI v.4, which utilizes any portion of the source code protected by MMD's certificate of copyright registration number TX-6-159-013;

(b) manufacturing, assembling, producing, distributing, offering for distribution, circulating, selling, offering for sale, advertising, importing, promoting or displaying any software program including specifically, but not limited to CADI v.4, which bears any simulation, reproduction, copy, or colorable imitation of any program utilizing any of the source code protected by MMD's certificate of copyright registration number TX-6-159-013;

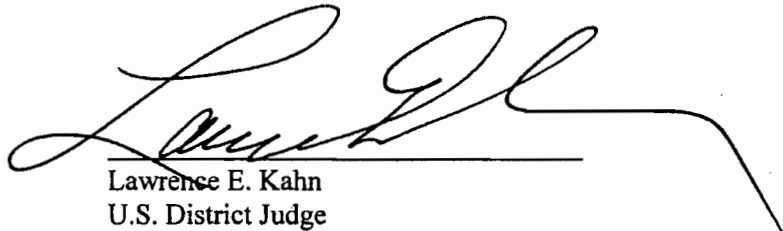
(c) engaging in any other activity constituting an infringement of any MMD's rights and/or right to use or exploit the above described copyright, and

(d) assisting, aiding, or abetting any other person or business entity engaging in  
or performing any of the activities referred to in subparagraphs (a) – (c) above; and

DATED: Albany, New York  
January 31, 2007

TIME OF ISSUANCE: 9:15 A.M.

SO ORDERED:



Lawrence E. Kahn  
U.S. District Judge

**Digel, Greg (ATL - X48120)**

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**From:** ecf.notification@nynd.uscourts.gov  
**Sent:** Thursday, February 01, 2007 9:56 AM  
**To:** NYND\_ECFQC@nynd.uscourts.gov  
**Subject:** Activity in Case 8:06-cv-01263-LEK-DRH Synca Direct, Inc. v. Multimedia Dental Systems, Inc.  
Order on Letter Request

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**U.S. District Court**

**Northern District of New York - Main Office (Syracuse) [LIVE - Version 3.0.3]**

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**Case Name:** Synca Direct, Inc. v. Multimedia Dental Systems, Inc.

**Case Number:** 8:06-cv-1263

**Filer:**

**Document Number:** 29

**Docket Text:**

ORDER terminating [27] Letter Request; granting [8] Motion for TRO. Signed by Judge Lawrence E. Kahn on 1/31/07. (tab)

**8:06-cv-1263 Notice has been electronically mailed to:**

Gregory J. Digel greg.digel@hklaw.com

James V. Marks james.marks@hklaw.com, elvin.ramos@hklaw.com

Mark J. McCarthy MMCCARTHY@HARRISBEACH.COM, alarkin@harrisbeach.com

Edward J. Naughton edward.naughton@hklaw.com

William L. Owens wowens@soctlaw.com

Thomas W. Plimpton tplimpton@harrisbeach.com, akish@harrisbeach.com

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**Document description:**Main Document

**Original filename:**n/a

2/1/2007

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